

PTO/SB/30 (01-03)

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# Request For Continued Examination (RCE) Transmittal

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/077,718
Filing Date	June 8, 1998
First Named Inventor	Hakan Nyqvist
Art Unit	1626
Examiner Name	T. Solola
Attorney Docket Number	1103326-0503

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 27-1703

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fees (37 CFR 1.136 and 1.17)

iii. ☒ Other Fees required in connection with the communication \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John M. Genova	Registration No. (Attorney/Agent)	32,224
Signature	<i>John M. Genova</i>	Date	7 July 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	John M. Genova	Date	7 July 2004
Signature	<i>John M. Genova</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Nyqvist et al.

Serial No. : 09/077,718

Filed : June 8, 1998

For : TARTRATE SALTS OF (R)-3-N,N-DICYCLO-  
BUTYLAMINO-8-FLUORO-3,4-DIHYDRO-  
-2H-1-BENZOPYRAN-5-CARBOXAMIDE

Examiner : T. Solola

Group Art Unit : 1626

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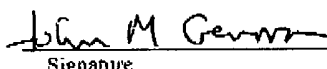
**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8**I hereby certify that this paper is being facsimile transmitted  
to the U.S. Patent and Trademark Office on the date indicated  
below at the facsimile number 703-872-9306.

John M. Genova

32,224

Agent Name

PTO Reg. No.

 7 July 2004

Signature

Date of Signature

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ATTENTION: Examiner T. Solola****DATE: 7 July 2004****NUMBER OF PAGES: 8 (including PTO/SB/30)****FAX NUMBER: 703-872-9306****AMENDMENT**

Sir:

Applicant submits this Amendment in response to the final Office Action, mailed November 19, 2003. A Request for Continued Examination ("RCE") is being submitted concurrently under separate cover.

A Notice of Appeal was filed on May 14, 2004. Therefore, this Amendment and the RCE are timely as being submitted within two months of the filing date of the Notice of Appeal.

**Prior to further examination, please amend the above-identified application as follows:**

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.